

## Message Text

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ORIGIN L-03

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DRAFTED BY L/UNA:AKRECZKO;IO/UNESCO:RFORSTER:SIS  
APPROVED BY IO:GADALLEY  
L:SMSCHWEBEL (DRAFT)

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FM SECSTATE WASHDC  
TO AMEMBASSY PARIS IMMEDIATE

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E.O. 11652: N/A

TAGS: AORG, OCON, UNESCO

SUBJECT: UNESCO CONFERENCE ON DRAFT DECLARATION ON RACE  
AND RACIAL PREJUDICE

1. IN ORDER TO FACILITATE NEGOTIATING PROCESS, DEPARTMENT  
WOULD LIKE TO REITERATE THOSE ISSUES IN THE ORIGINAL DRAFT  
DECLARATION WHICH ARE OF SUCH PROFOUND CONCERN TO US THAT  
THEY ARE LIKELY TO PREVENT US JOINING CONSENSUS ADOPTION  
OF THE TEXT IF THEY ARE INCLUDED:

(A) REFERENCE, EXPLICIT OR IMPLICIT, TO UNGA RESOLUTION  
3379 (INCLUDING A REFERENCE TO ALL OR RELEVANT UN RESOLU-  
TIONS ON RACIAL DISCRIMINATION).

(B) CHARACTERIZATION OF APARTHEID AS A THREAT TO INTER-  
NATIONAL PEACE AND SECURITY. THIS LANGUAGE HAS EXTREME  
SIGNIFICANCE IN THE SETTING OF THE UN SECURITY COUNCIL; WE  
ARE NOT PREPARED TO PARTICIPATE IN SETTING PRECEDENT OF  
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OTHER INTERNATIONAL ORGANIZATIONS TELLING UN SECURITY  
COUNCIL WHAT CONSTITUTES A THREAT TO INTERNATIONAL PEACE  
AND SECURITY.

(C) CHARACTERIZATION OF SEGREGATION OR DISCRIMINATION  
AS CRIMES AGAINST HUMANITY. (THE CHARACTERIZATION OF  
APARTHEID AS A CRIME AGAINST HUMANITY AND REFERENCE TO THE

APARTHEID CONVENTION ARE TROUBLESOME, BUT IN LIGHT OF USDEL'S REPORT THAT SUCH LANGUAGE IS OF EXTREME IMPORTANCE TO CERTAIN DELEGATIONS, USDEL WOULD NOT BE INSTRUCTED TO BREAK CONSENSUS OVER INCLUSION OF THIS LANGUAGE IF IT WERE SOLE PROBLEM WITH FINAL TEXT OF DECLARATION.)

(D) UNACCEPTABLE LANGUAGE ON THE MASS MEDIA, INFRINGING EITHER US CONSTITUTIONAL OR INTERNATIONAL (UNIVERSAL DECLARATION OF HUMAN RIGHTS) PROTECTION OF THE FREE FLOW OF INFORMATION. PRESENT TEXT OF ARTICLE 5(3), FOR EXAMPLE, IS UNACCEPTABLE.

(E) LANGUAGE WHICH ENDORSES STATE ACTION AGAINST PROPAGANDA OR ORGANIZATIONS WHICH ARE BASED ON RACIAL SUPERIORITY, SINCE SUCH ACTIVITIES ARE PROTECTED BY US CONSTITUTION. CONVERSELY, US COULD ACCEPT LANGUAGE WHICH PROHIBITS STATES FROM ENGAGING IN PROPAGANDA OR PARTICIPATING IN ORGANIZATIONS WHICH ARE BASED ON RACIAL SUPERIORITY.

(F) ASSERTION IN ARTICLE 9 THAT ANY FORM OF RACIAL DISCRIMINATION VIOLATES INTERNATIONAL LAW AND INVOLVES INTERNATIONAL RESPONSIBILITY. (HOWEVER, WE COULD ACCEPT THE STATEMENT THAT ANY FORM OF GOVERNMENTAL RACIAL DISCRIMINATION IS A VIOLATION OF INTERNATIONAL LAW GIVING RISE TO INTERNATIONAL RESPONSIBILITY.)

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(G) STATEMENT THAT NGO'S MUST REPEAT MUST IMPLEMENT THE DECLARATION. DEPARTMENT BELIEVES THAT ANY USE OF "MUST" IN NON-BINDING DECLARATION IS INAPPROPRIATE, BUT WE TAKE PARTICULAR EXCEPTION TO USE OF "MUST" IN THIS CONTEXT.

2. DEPARTMENT IS SURPRISED BY USDEL'S REPORT OF OPPOSITION TO EFFORTS TO AMEND TEXT. ON BASIS OF REPORTS FROM INFORMATION GROUP, DEPARTMENT THOUGHT IT UNDERSTOOD BEFORE THE CONFERENCE OPENED THAT CERTAIN PORTIONS OF THE DECLARATION WERE UNACCEPTABLE AND THAT THE TEXT WAS NEGOTIABLE.

3. DEL SHOULD TAKE WHATEVER ACTION IS NECESSARY TO ENSURE THAT BOSSIER-PALUN AND, THROUGH HIM, M'BOW ARE FULLY AWARE OF OUR CONCERN REGARDING THESE ISSUES AND THEIR LIKELY IMPLICATIONS FOR US ABILITY TO PARTICIPATE IN CONSENSUS ON DECLARATION.

4. USDEL SHOULD TAKE OPPORTUNITY OF CONTACT WITH BOSSIER-PALUN AND OR DG TO RE-EMPHASIZE THAT OUR DECISION TO PARTICIPATE IN THE CONFERENCE WAS BASED ON ASSURANCES THAT ISSUE OF UNGA RES 3379 WOULD NOT ARISE. HOWEVER, OUR PARTICIPATION IS ALSO BASED ON GENUINE DESIRE TO CREATE A

STRONG DECLARATION THAT IS CONSISTENT WITH FUNDAMENTAL FREEDOMS. WE MAKE THESE POINTS IN THE SPIRIT OF SUPPORT FOR THE MOST MEANINGFUL EXPRESSION OF INTERNATIONAL OPINION ON THESE IMPORTANT SUBJECTS. AMENDMENTS OFFERED BY US WHICH DO NOT ADDRESS THESE POINTS, ALTHOUGH DESIRABLE, ARE NOT FUNDAMENTAL TO US SUPPORT.

5. DEPARTMENT WOULD APPRECIATE RECEIVING ASAP DEL'S ASSESSMENT OF WHERE WE STAND ON EACH OF THESE ISSUES. VANCE

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Original Handling Restrictions:** n/a  
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**Review Markings:**  
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